

ACQUISITION MISSION REVIEW



Inside this issue:

Contracts not Performance-Based	2
Comments Requested and Final Rules	3
COR Schedule	4
GPC Schedule	5
Cut Off Dates	8

DAWIA CERTIFICATION COUNTS TOWARD MASTER'S DEGREE AT WEBSTER UNIV.

Webster University and the Defense Acquisition University have signed a strategic partnership agreement that offers a unique opportunity to AT&L workforce members with Level II DAWIA certification in Contracting.

You can apply your DAU courses toward three Master of Arts graduate degree programs at Webster University:

Business Administration,
Procurement and Acquisitions,
Management and Leadership.

Level II certification will equate to 9 credits for any of these programs.

For more information, contact Wayne Glass (Wayne.Glass@dau.mil).



For a list of other strategic partnerships, go to the DAU site: <http://www.dau.mil/about-dau/partnerships.aspx>.

CONTRACTING USED TO FIGHT HUMAN TRAFFICKING

The Trafficking Victims Protection Reauthorization Act of 2003, and amended in 2005, addresses the victimization of children, women, and men as a result of human trafficking. As such, 22 U.S.C. 7104(g) requires contracts to contain a clause allowing Agencies to terminate contracts if a Contractor or Subcontractor, or their employees, engage in human trafficking, procure a commercial sex act, or use forced labor (slavery) in the performance of the contract.

To implement the law, FAR Subpart 22.17 and an associated clause at 52.222-50 have been added to address human trafficking. The interim rule applies to service contracts (other than commercial under FAR Part 12).

FAC 05-09 contains the Interim Rule on "Combating Trafficking in Persons", located at <http://acquisition.gov/far/fac/fac2005-09.pdf>. A Webcast is available at <http://view.dau.mil/dauvideo/view/eventListing.jhtml?eventid=1053>.



CONTRACTS REPORTED AS “PERFORMANCE-BASED” MAY NOT BE



A Congressionally-mandated Panel found that many contracts that Agencies say are performance-based are, in fact, not at all.

Performance-based contracting requires Agencies to tell Contractors what result the Government requires rather than detailing how the Government thinks the work should be done.

After reviewing forty-eight (48) contracts that various Federal Agencies labeled as performance-based, a panel of acquisition experts found almost forty percent (40%) (nineteen (19)) were no such thing, said the executive director of the Acquisition Advisory Panel. In addition to the already-identified nineteen, another eleven (11) contracts (twenty-two percent (22%)), for a total of sixty-two percent (62%) of contracts) were flawed because the Agencies hadn't followed all of the steps and procedures required, said the president of the Performance Institute, a nonpartisan think tank.

At the very least, the results show that there is a great deal of confusion regarding what is and what isn't a performance-based contract. The findings bolster the argument that the Government needs to give Agencies more guidance in using performance-based contracts, and to keep better data on them as well.

The Panel conducted the informal survey as part of its research into performance-based contracting. Charged by Congress with recommending improvements to the acquisition system, the Panel has called for scrapping the Government's "forty-percent (40%)" across-the-board mandate that contracts be Performance-Based, and setting Agency-specific goals.

The contracts that were labeled in the Federal Procurement Data System as Performance-Based when they were not, were from:

Agriculture;
Defense;
Energy;
General Services Administration;
Health and Human Services;
Homeland Security;
Interior;
Justice;
NASA; and
Veterans' Affairs.

Federal Times, 30 June 2006.

FAR AND DFARS COUNCIL ACTIONS

COMMENTS REQUIRED:

(AUG 28th): (FAR) Authorized Negotiators. Solicitations currently require the name, title, and telephone number of an Offeror's authorized negotiator. Comments are invited on whether this information is needed by the Government. Comments are due: August 28, 2006.

(AUG 15th): (DFARS) Contractors Deployed with the Force. An interim rule has been issued amending the DFARS to implement DoD policy regarding Contractor personnel accompanying U.S. Armed Forces deployed outside the U.S. The rule addresses the status of contractor personnel as civilians accompanying the U.S. Armed Forces, and the responsibilities of the combatant Commander regarding their protection. Comments are due: Aug 15, 2006.



FINAL RULES:

(DFARS) Use of Clause: Training for Contractor Personnel Interacting with Detainees. Adds the clause at DFARS 252.237-7019, "Training for Contractor Personnel Interacting with Detainees", to the list of clauses that should be considered when using the clause at DFARS 252.225-7040, "Contractor Personnel Authorized to Accompany U.S. Armed Forces Deployed Outside the United States". See: PGI 225.74.

(PGI) Contract Modifications. Updates and clarifies PGI text addressing preparation of contract modifications. See: PGI 243.1, 243.2.

(DFARS) Types of Contracts. This Rule (1) Streamlines text on the use of economic price adjustment clauses; (2) Increases the standard maximum ordering period for basic ordering agreements (BOAs) from three (3) to five (5) years; (3) Deletes obsolete text on the use of cost-plus-fixed-fee contracts for environmental restoration; (4) Deletes unnecessary text on design stability and use of incentive provisions; and (5) Relocates procedures for: selecting contract type; special economic price adjustment clauses; incentive contracts; and basic ordering agreements, to the PGI. See: DFARS Part 216: Table of Contents, 216.1, 216.2, 216.3, 216.4, 216.7; and PGI: 216.1, 216.2, 216.4, 216.7.

(DFARS) Trade Sanctions Subpart Removed. Circular 2005-09 removed FAR Subpart 25.6, "Trade Sanctions". This final rule removes the corresponding DFARS subpart. DFARS 225.6 is now at DFARS 225.76.

COR TRAINING SCHEDULE CHANGES



HQ made some changes to the COR Class Schedules, which are identified here in red.

28 Aug- 01 September	(HBG)
16-20 October 2006	(HBG)
23-27 October	(FRAN)
13-17 November	(HBG)
27 Nov — 01 December	(BAVARIA)
11-15 December	(HBG)
<u>CALENDAR YEAR 2007</u>	
08-12 January	(KTOWN)
22-26 January	(HBG)
05-09 February	(BENELUX)
12-16 February	(HBG)
05-09 March	(HBG)
19-23 March	(BAMBERG)
02-06 April	(LIVORNO)
09-13 April	(VICENZA)
23-27 April	(HBG)
21-25 May	(HBG)
18-22 June	(HBG)
09-13 July	(KOSOVO)
23-27 July	(HBG)

Your Points of Contact for the classes are:

RCO Bavaria:

Georg.Hoesl@us.army.mil
(DSN 475-8720)

RCO Benelux:

Joe.Vitale@us.army.mil
(DSN 368-9628)

RCO Franconia:

David.Rader1@us.army.mil
(DSN 351-4216)

RCO Italy:

Pamela.Runyon@rco.vic.usacce.army.mil
(DSN 634-3926)

RCO Seckenheim:

Michaela.Martin@us.army.mil
(DSN 375-7579)

Wiesbaden Contracting Center:

Carlton.M.Foshay@us.army.mil
(DSN 336-2101)

21st TSC SOCO:

Terrence.Kenny@hq.21tsc.army.mil
(DSN 484-7251)

GPC CORNER

The GPC training schedules for the remainder of this calendar year are:

	<u>IMA</u>	<u>JMTC</u>
AUG	30th	16th
SEP	27th	20th
OCT	25th	18th
NOV	29th	22nd
DEC	13th	13th

To get signed up for a class, submit a request through your Resource Management Office. (If you belong to a Tenant unit with the USAGs, you may submit your request to the RCO through your GPC Agency/Organization Program Coordinator.)

IMPORTANT: Prior to being accepted into any class, you must have completed the DoD GPC On-Line Tutorial, which can be accessed at: <https://atrrs.army.mil/channels/aitas/>.



Once you get your Login and Password, you will be directed to the course. Refresher training is now required every year.

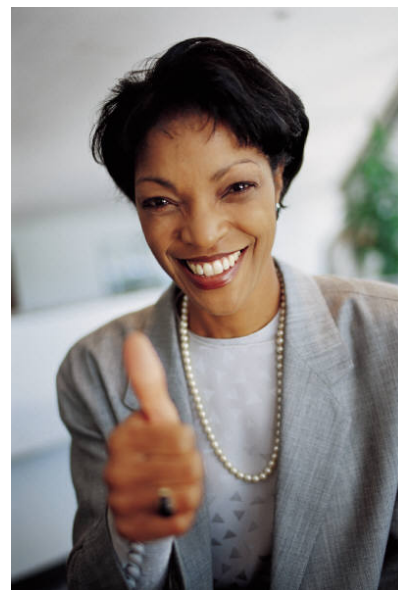
To access the GPC Refresher Tutorial, go to the same website as for initial training. Question? Call Hans-Juergen Diepold or Tom Calcagno at DSN 475-8779 or 8715 respectively.

TELL US WHAT YOU THINK (*ICE*)!

The Interactive Customer Evaluation (*ICE*) System is a web-based tool that collects feedback on services provided by various organizations throughout the Department of Defense (DoD).

The ICE system allows customers to submit on-line comment cards to rate the service providers they have encountered at military installations and related facilities around the world. ICE is designed to improve customer service by allowing managers to monitor the satisfaction levels of services provided through reports and customer comments.

We encourage you to use ICE. You can locate the RCO Bavaria link by accessing the ICE Link (ice.disa.mil), and following the links to Army, Europe, USACCE, RCO Bavaria. Or just click on the link at the bottom of any of our emails.



PANEL TO INCREASE COMPETITION FOR SERVICE CONTRACTS



A federal acquisition advisory panel has approved preliminary recommendations to (1) establish a new GSA professional services schedule, (2) require public notification when agencies award large sole-source contracts; and (3) allow protests of large Task Orders under multiple-award contracts.

The Services Acquisition Reform Act Advisory Committee, a group created by the 2004 Defense Authorization Act, provisionally agreed on these and other suggestions that will be included in a report the panel expects to release in October.

After discussing how GSA's supply schedules are geared more toward the acquisition of goods than of complex services, the group agreed to recommend that the agency establish a new information technology schedule for professional services. Under it, prices for each Task Order would be based on competitions rather than posted rates. GovExec.com

CONGRESS FACES TIME CRUNCH ON SPENDING BILLS

Congress faces a mountain of work and little time to do it -- about 44 legislative days left in the Senate, and fewer in the House, before October's scheduled adjournment. The crunch is so severe this year, Senate leaders are considering attaching a continuing resolution to the 2007 Defense spending bill at the end of this month to fund other areas of the Government until a post-election lame duck session.

Lawmakers generally don't give up the pretense of completing the year's budget work on time until September, but by attaching the continuing resolution now to the all-important Defense bill, GOP leaders are demonstrating what they think the chances are of the Spending Bill being passed by the all-important date of 01



October, and at the same time, how serious they are about getting out of town on time to begin the fall campaigns.

DoD BUSINESS TRANSFORMATION AGENCY GETS IRAQ ASSIGNMENT

Less than a year after its creation, the Pentagon's Business Transformation Agency has been assigned the task of streamlining and transforming the DoD's contracting processes and systems in Iraq. While the task force will provide recommendations and implementation plans for DoD contracting in Iraq, it will not be responsible for awarding contracts.

The task force will make recommendations in areas including the deployment of common systems and business processes for contract management in Iraq, possible structural changes to the Pentagon's contracting authorities and potential changes to the FAR and the DFARS. The task force will publish a report every three months.

Spokesmen for the DBTA indicated that there is a wealth of information on how to improve contracting in Iraq and that they hope the task force's efforts do not "amount to a lot of reinventing the wheel." One of the main focus of

the BTA will be to synthesize the various policies and laws and make the tools used to implement those policies fit the need. The DBTA believes that not only are a lot of the authorities and rules scattered, but the procurement systems need to be adjusted to match the flexibilities allowed by both law and regulation.

GovExec.com, July 7, 2006.



SPS CONNECTION

The [Standard Procurement System \(SPS\) Connection](http://www.spscoe.sps.eis.army.mil/spsconnection/mayjun06/index.htm):

(<http://www.spscoe.sps.eis.army.mil/spsconnection/mayjun06/index.htm>)

brings you up-to-date information on the latest SPS news, tips and tricks, and upcoming events related to the DoD SPS and Procurement Desktop Defense (PD2).

It's a bi-monthly, electronic newsletter distributed by the SPS JPMO to users of SPS. The SPS Connection can make your job easier, giving you the inside track on where SPS is headed and how it can work for you.

Log on now to see the latest issue, with a special focus on the Business Transformation Agency, and sign up to begin receiving The SPS Connection.

**RCO BAVARIA**

Unit 28130
APO AE 09114

Phone:
+49-9641-83-8712
DSN 475-8712

FINAL QUARTER CUT-OFF DATES

Here are the cut-off dates for the last two months of this Fiscal Year. Remember that paper PR&Cs will no longer be accepted soon. Call your Resource Manager(s) if you need access to PRWeb.

31 JULY

Contracts (Construction/Repair & Maintenance) under \$300K.

15 AUGUST

Contracts (Construction) under \$100K;

Task Orders (Multiple Award IDIQ) over \$100K;

Task Orders (Multi-Trade) (Lump Sum portion).

31 AUGUST

Contracts (Supplies & Services) under \$100K.

15 SEPT

Task Orders (Single-Award IDIQ and Requirements) under \$100K;

Task Orders (Multi-Trade) (Time & Materials portion).

28 SEPT

Task Orders (Multi-Trade) (Job Order Contract portion)

30 SEPT

ABG projects (All).

We're on the web!!
www.usacce.army.mil/
graf